

CITY OF SOMERVILLE, MASSACHUSETTS
FAIR HOUSING COMMISSION

Joseph A. Curtatone
Mayor

Staff
Bryant Gaspard

Commissioners
Claudia DeAndrade
Patrice Faulkner
Dennis Fischman
Rona Fischman
Natasha Sierra

Meeting Minutes
December 17, 2020
Via GoTo Meeting Webinar
Online Video Platform
04:00 pm

The meeting began at 4:20 pm.

Attending: FHC members Patrice Faulkner, Dennis Fischman, Rona Fischman and Natasha Sierra;
City staff, Bryant Gaspard.

Minute distribution (upon acceptance) to: FHC members and others attending; also posted to City website.

I. Standing Agenda Items

Meeting Minutes: Members reviewed draft minutes from the November 19, 2020 meeting that had been prepared by Bryant Gaspard. Rona Fischman made a motion to amend the minutes to include that she and Dennis Fischman had presented at the SomerVIP event (event to inform property owners about incentives and support they would receive from renting to tenants with Section 8 vouchers) and to post the tenant handbook that she worked on to the Housing Division and Fair Housing Commission website. Dennis Fischman made a *motion* to accept the minutes with amendments which was seconded by Patrice Faulkner and unanimously *approved*.

Facebook page update: One of the Facebook posts that Dennis discussed was a question about a landlord refusing to fix the back stairway and what the tenant could do about it. He shared that if the stairway is the second exit that's required for safety purposes the landlord must keep it in good order or the City's inspectional services could fine him and force him to fix it. This scenario could also be a fair housing issue if a member of the household were to have a physical/mentally disability.

The second post was a landlord/tenant question regarding a landlord trying to raise the rent as of January 1, 2021. Dennis shared that if the tenants have an at will tenancy then the landlord could raise the rent by giving them 30 day notice or longer if necessary. If they have a lease then a rent increase can only take effect after the lease has expired.

The third post was the fair housing question of the week asking if a landlord could access a tenant's apartment. Dennis explained that a landlord is allowed "reasonable access" to your apartment, which usually means that they must give you 24 hour notice. They may need to conduct inspections,

repairs, or show the unit to prospective tenants or buyers. In addition, if there is an emergency, the landlord must be allowed access.

Review of Calls/Issues/Complaints: Bryant informed the commissioners that there were no housing discrimination complaints received in December. However, he did share that the security software for emails potentially blocked one or two complaints from being received in November. Dennis shared that a resident who submitted one of the complaints reached out to the Facebook page on behalf of his daughter. The father shared that hateful graffiti was written on the fence in front of his daughter's unit and he contacted the Massachusetts Commission Against Discrimination (MCAD). Dennis did provide him Bryant's contact information to follow up on the incident.

II. Update on Specific Activities

Bryant provided the Commissioners with the final version of the Fiscal Year 2020 (FY '20) Fair Housing Commission report. He shared that if the Commissioners voted to approve the report then it will be submitted to the Mayor's office and the City Council. As the Commissioners reviewed the report Rona informed Bryant of a correction to be made. She does not present at the First Time Homebuyer class through SCC on a monthly basis, but instead on a semi regular basis (presenting about four times a year). Rona made a *motion* to approve the report which was seconded by Natasha Sierra and unanimously *approved*.

Dennis shared that the Fair Housing Commission has worked on and completed a fair amount of objectives in the past couple of years including getting a fully staffed commission. He further noted that it is still difficult to ascertain the full scope of fair housing discrimination since many incidents go unreported. Patrice added that we need to find ways to make it easier to report fair housing complaints and remove barriers which might need to be addressed at a state or federal level. Rona added that the report reaffirms that discrimination among persons with vouchers/rental subsidies is still a big issue even though the rental market has seen more vacancies as a result of the COVID-19 pandemic.

Bryant informed the Commissioners that the City of Boston has amended their zoning laws to incorporate fair housing requirements such as Affirmatively Furthering Fair Housing (AFFH). Developers undergoing Article 80 review must consider the impact their project will have on local residents that have been historically discriminated against, address past histories of exclusion, the number of affordable housing units provided and rising rents and displacement. Boston officials acknowledged that zoning has played a large role in the current and historical segregation of communities in the City.

Dennis thought this may be a great initiative for Boston, but inquired what the remedies would be if a developer determined that their project would affect the area residents. Bryant shared that his understanding was that a developer would have to provide intervention strategies to avoid or reduce any adverse harm to residents, but was unsure what those strategies or mitigating factors would be. Patrice added that there may be less people willing to live in some of these new developments being built in Boston since an increasing amount of households can now work remotely and do not need to be in or near the area. She added that this may result in more affordable units being provided if there is less demand for market rate units. Rona shared that in her experience as a realtor households still

want to be close to the MBTA and the Greater Boston area so it is unclear if demand for these units will decrease substantially.

Lastly, Bryant shared an article with the Commissioners regarding an apology statement from the National Association of Realtors (NAR). The President of the NAR issued a formal apology for the organizations past policies that contributed to segregation and racial inequality in America. Some of the past policies and actions the President apologized for included opposing the 1968 Fair Housing act and excluding membership to the NAR based on race and gender. Rona shared that in her opinion one of the reasons this apology was issued is based on a generation shift in membership of the NAR. The younger generation believes the NAR should play a role in helping to create inclusive communities. She added that prior to the apology the fair housing section was updated in the Realtor Code of Ethics to state that realtors could not speak disparagingly in public or private about protected classes in fair housing law.

III. Announcements

Bryant thanked all Commissioners for all their work and efforts in 2020 even in the midst of a worldwide pandemic. He also shared that the next meeting of the Fair Housing Commission will take place on January 28, 2021. Natasha shared that the Somerville Housing Authority is taking extra precautions by providing gift cards to eligible families in their buildings instead of the usual toy drive for the holiday season.

A *motion* to adjourn was introduced by Rona Fischman and seconded by Patrice Faulkner and *approved* unanimously. The meeting was adjourned at 5:20 pm.